

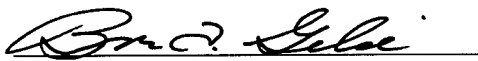


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No: 09/627,796 Confirmation No. 3581
Date Filed: July 28, 2000
Application Title: Non-Nucleic Acid Probes, Probe Sets, Method and Kits
Pertaining To The Detection Of Human Chromosomes X, Y,
1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18 And 20 As Well As
13/21 As A Pair
Applicant: Krishan L. Taneja
Group Art Unit: 1634
Examiner: Jehanne E. Souaya
Action Date: April 21, 2003
Action Type: First Office Action On Merits – NON-FINAL
Certified Mail No.: 7003 0500 0000 1738 3630

**Certificate of Mailing Pursuant to:
37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of October, 2003.


Brian D. Gildea
Reg. No. 39,995

Reply To Office Action

Commissioner for Patents
Dear Sir or Madam:

A petition under 37 C.F.R. § 1.136(a) for an automatic three-month extension of time to reply to the present office action has been included with the papers accompanying this submission so please consider the following response to the Office Action mailed on April 21, 2003.



I. ACTION SUMMARY

Claims 1-45 stand pending in the application. Claims 16-20 and 24-28 stand withdrawn from consideration by the Examiner. Only claims 1-15, 21-23 and 29-45 are under consideration in this Office Action. Claims 1-15, 21-23 and 29-45 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 1, 4-11, 13-15, 36-43 and 45 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hyldig-Nielsen et al. (US 5,985,563). No claim stands allowed.

II. FORMAL MATTERS

It is noted that the Examiner did not return PTO-Form 1449 for the documents submitted on August 19, 1999, January 4, 2000 and August 14, 2000. The Examiner is requested to return the signed PTO-Form 1449 documents with the next Office communication. For convenience of the Examiner, copies of those PTO-Form 1449s are attached hereto.